

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MYCHOICE, LLC.,

Plaintiff,

v.

TAIV, INC.,

Defendant.

C.A. No. 2:23-cv-00507-JRG-RSP

JOINT CLAIM CONSTRUCTION CHART
PURSUANT TO LOCAL PATENT RULE 4-5(d)

Pursuant to Patent Rule 4-5(d) and the Court's Docket Control Order (ECF No. 31), Plaintiff MyChoice, LLC ("MyChoice") and Defendant Taiv, Inc. ("Taiv") jointly submit this Joint Claim Construction Chart attached hereto as Exhibit A.

Dated: March 19, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served upon all counsel of record, via the Court's CM/ECF system on March 19, 2025

/s/: M. Craig Tyler
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EXHIBIT A

AGREED CONSTRUCTIONS

Agreed Term and Asserted Claim(s) Containing Term	Plaintiff's Construction	Defendant's Construction	Court's Construction
"user preference . . . associated with the user" (Claims 1, 13)	[AGREED]	[AGREED]	No construction necessary other than included terms otherwise construed

DISPUTED CONSTRUCTIONS

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
Preambles of Claims 1, 9, and 13	<p>1. A method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>detecting in real-time, by a monitoring station, the undesirable content in the first media stream, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database;</p> <p>selecting substitute content, by the monitoring station, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>responsive to detecting in real-time the</p>	No construction necessary; preamble not limiting.	Preambles are limiting.	

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>undesirable content in the first media stream, transmitting, from the monitoring station, a first trigger signal, and directing the output device to a second media stream containing the substitute content;</p> <p>further responsive to detecting in real-time the undesirable content in the first media stream, configuring, in the system database, an undesirable content attribute and associating the undesirable content attribute with the first media stream;</p> <p>wherein the output device switches from the first media stream to the second media stream in response to the first trigger signal;</p> <p>after transmitting the first trigger signal, monitoring, by the monitoring station, the first media stream for an end to the undesirable content;</p> <p>responsive to detecting the end to the undesirable content in the first media stream, transmitting, from the monitoring station, a second trigger signal to the output device;</p> <p>further responsive to detecting the end to the undesirable content in the first media stream, changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>wherein the output device switches from the second media stream to the first media stream in response to the second trigger signal.</p> <p>9. An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system, instruct the computer system to perform a method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>communicating to a monitoring station a user preference indicating undesirability, the user preference indicating undesirability corresponding to the undesirable content;</p> <p>receiving a first trigger signal from the monitoring station after the undesirable content corresponding to the user preference indicating undesirability is detected in real-time in the first media stream by the monitoring station and concurrent with an undesirable content attribute being associated with the first media stream and stored in the system database;</p> <p>responsive to receiving the first trigger signal, signaling the output device to switch from the</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>first media stream to a second media stream containing substitute content, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>receiving a second trigger signal from the monitoring station after an end to the undesirable content in the first media stream is detected by the monitoring station and concurrent with changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>responsive to receiving the second trigger signal, signaling the output device to switch from the second media stream to the first media stream.</p> <p>13. An output device which transmits media to a display viewable by a user, the output device comprising:</p> <p>a network interface in communication with a monitoring station;</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>wherein the network interface receives a first media stream containing primary content having a primary content attribute;</p> <p>wherein the output device transmits the first media stream to the display;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting in real-time undesirable content in the first media stream, a first trigger signal and a second media stream containing substitute content, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database, an undesirable content attribute associated with the first media stream and stored in the system database, and wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>wherein the output device switches the media being transmitted to the display from the first</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>media stream to the second media stream in response to the first trigger signal;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting an end to the undesirable content in the first media stream, a second trigger signal, wherein the undesirable content attribute associated with the first media stream and stored in the system database is changed; and,</p> <p>wherein the output device switches the media being transmitted to the display from the second media stream to the first media stream in response to the second trigger signal.</p>			
<p>“user” (claims 1, 9, 13)</p>	<p>1. A method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>detecting in real-time, by a monitoring station, the undesirable content in the first media stream, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database;</p> <p>selecting substitute content, by the monitoring</p>	<p>No construction necessary; plain and ordinary meaning.</p>	<p>“a person watching the display”</p>	

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>station, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>responsive to detecting in real-time the undesirable content in the first media stream, transmitting, from the monitoring station, a first trigger signal, and directing the output device to a second media stream containing the substitute content;</p> <p>further responsive to detecting in real-time the undesirable content in the first media stream, configuring, in the system database, an undesirable content attribute and associating the undesirable content attribute with the first media stream;</p> <p>wherein the output device switches from the first media stream to the second media stream in response to the first trigger signal;</p> <p>after transmitting the first trigger signal, monitoring, by the monitoring station, the first media stream for an end to the undesirable</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>content;</p> <p>responsive to detecting the end to the undesirable content in the first media stream, transmitting, from the monitoring station, a second trigger signal to the output device;</p> <p>further responsive to detecting the end to the undesirable content in the first media stream, changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>wherein the output device switches from the second media stream to the first media stream in response to the second trigger signal.</p> <p>9. An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system, instruct the computer system to perform a method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>communicating to a monitoring station a user preference indicating undesirability, the user preference indicating undesirability</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>corresponding to the undesirable content;</p> <p>receiving a first trigger signal from the monitoring station after the undesirable content corresponding to the user preference indicating undesirability is detected in real-time in the first media stream by the monitoring station and concurrent with an undesirable content attribute being associated with the first media stream and stored in the system database;</p> <p>responsive to receiving the first trigger signal, signaling the output device to switch from the first media stream to a second media stream containing substitute content, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>receiving a second trigger signal from the monitoring station after an end to the undesirable content in the first media stream is detected by the monitoring station and concurrent with changing, in the system database, the undesirable content attribute associated with the first media</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>stream; and,</p> <p>responsive to receiving the second trigger signal, signaling the output device to switch from the second media stream to the first media stream.</p> <p>13. An output device which transmits media to a display viewable by a user, the output device comprising:</p> <p>a network interface in communication with a monitoring station;</p> <p>wherein the network interface receives a first media stream containing primary content having a primary content attribute;</p> <p>wherein the output device transmits the first media stream to the display;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting in real-time undesirable content in the first media stream, a first trigger signal and a second media stream containing substitute content, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database, an undesirable content attribute associated with the first media stream and stored in the system database, and wherein the substitute content has a plurality of substitute</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>wherein the output device switches the media being transmitted to the display from the first media stream to the second media stream in response to the first trigger signal;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting an end to the undesirable content in the first media stream, a second trigger signal, wherein the undesirable content attribute associated with the first media stream and stored in the system database is changed; and,</p> <p>wherein the output device switches the media being transmitted to the display from the second media stream to the first media stream in response to the second trigger signal.</p>			
“user preference” (claims 1, 4, 5, 8-13)	1. A method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display	No construction necessary; plain	“likes and dislikes of the user”	

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>detecting in real-time, by a monitoring station, the undesirable content in the first media stream, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database;</p> <p>selecting substitute content, by the monitoring station, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>responsive to detecting in real-time the undesirable content in the first media stream, transmitting, from the monitoring station, a first trigger signal, and directing the output device to a second media stream containing the substitute content;</p> <p>further responsive to detecting in real-time the</p>	<p>and ordinary meaning.</p>		

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>undesirable content in the first media stream, configuring, in the system database, an undesirable content attribute and associating the undesirable content attribute with the first media stream;</p> <p>wherein the output device switches from the first media stream to the second media stream in response to the first trigger signal;</p> <p>after transmitting the first trigger signal, monitoring, by the monitoring station, the first media stream for an end to the undesirable content;</p> <p>responsive to detecting the end to the undesirable content in the first media stream, transmitting, from the monitoring station, a second trigger signal to the output device;</p> <p>further responsive to detecting the end to the undesirable content in the first media stream, changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>wherein the output device switches from the second media stream to the first media stream in response to the second trigger signal.</p> <p>4. The method of claim 1, further including:</p> <p>storing, in the system database, a directory of</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>substitute content attributes and a directory of substitute content, each member of the directory of substitute content associated with at least one member of the directory of substitute content attributes;</p> <p>associating, by the monitoring station, at least one member of the directory of substitute content attributes with the primary content attribute; and,</p> <p>analyzing, by the monitoring station, the at least one member of the directory of substitute content attributes associated with the primary content attribute for correspondence to a user preference.</p> <p>5. The method of claim 1, further including:</p> <p>soliciting a user preference corresponding to the substitute content.</p> <p>8. The method of claim 1, further including: after transmitting the first trigger signal, monitoring, by the monitoring station, the second media stream for another undesirable content corresponding to a user preference.</p> <p>9. An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system, instruct the computer system to perform a method of replacing undesirable content in a first media stream being</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>communicating to a monitoring station a user preference indicating undesirability, the user preference indicating undesirability corresponding to the undesirable content;</p> <p>receiving a first trigger signal from the monitoring station after the undesirable content corresponding to the user preference indicating undesirability is detected in real-time in the first media stream by the monitoring station and concurrent with an undesirable content attribute being associated with the first media stream and stored in the system database;</p> <p>responsive to receiving the first trigger signal, signaling the output device to switch from the first media stream to a second media stream containing substitute content, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>associated with a second user preference indicating desirability;</p> <p>receiving a second trigger signal from the monitoring station after an end to the undesirable content in the first media stream is detected by the monitoring station and concurrent with changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>responsive to receiving the second trigger signal, signaling the output device to switch from the second media stream to the first media stream.</p> <p>10. The article according to claim 9, wherein the method further comprises:</p> <p>communicating to the monitoring station a user preference corresponding to the substitute content.</p> <p>11. The article according to claim 10, wherein the method further comprises:</p> <p>receiving a third trigger signal from the monitoring station after the user preference corresponding to the substitute content is received by the monitoring station; and,</p> <p>responsive to receiving the third trigger signal, signaling the output device to switch from the second media stream to a third media stream.</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>12. The article according to claim 9, wherein the method further comprises:</p> <p>after transmitting the first trigger signal, monitoring, by the monitoring station, the second media stream for another undesirable content corresponding to a user preference.</p> <p>13. An output device which transmits media to a display viewable by a user, the output device comprising:</p> <p>a network interface in communication with a monitoring station;</p> <p>wherein the network interface receives a first media stream containing primary content having a primary content attribute;</p> <p>wherein the output device transmits the first media stream to the display;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting in real-time undesirable content in the first media stream, a first trigger signal and a second media stream containing substitute content, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database, an undesirable content attribute associated with the first media stream</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>and stored in the system database, and wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>wherein the output device switches the media being transmitted to the display from the first media stream to the second media stream in response to the first trigger signal;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting an end to the undesirable content in the first media stream, a second trigger signal, wherein the undesirable content attribute associated with the first media stream and stored in the system database is changed; and,</p> <p>wherein the output device switches the media being transmitted to the display from the second media stream to the first media stream in response to the second trigger signal.</p>			
“detecting in real-time” / “detected in	1. A method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display	No construction necessary; plain	“without perceptual delay	

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
real time” (claims 1, 9, 13)	<p>viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>detecting in real-time, by a monitoring station, the undesirable content in the first media stream, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database;</p> <p>selecting substitute content, by the monitoring station, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>responsive to detecting in real-time the undesirable content in the first media stream, transmitting, from the monitoring station, a first trigger signal, and directing the output device to a second media stream containing the substitute content;</p> <p>further responsive to detecting in real-time the undesirable content in the first media stream,</p>	and ordinary meaning.	from the user's perspective”	

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>configuring, in the system database, an undesirable content attribute and associating the undesirable content attribute with the first media stream;</p> <p>wherein the output device switches from the first media stream to the second media stream in response to the first trigger signal;</p> <p>after transmitting the first trigger signal, monitoring, by the monitoring station, the first media stream for an end to the undesirable content;</p> <p>responsive to detecting the end to the undesirable content in the first media stream, transmitting, from the monitoring station, a second trigger signal to the output device;</p> <p>further responsive to detecting the end to the undesirable content in the first media stream, changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>wherein the output device switches from the second media stream to the first media stream in response to the second trigger signal.</p> <p>9. An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system, instruct the computer</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>system to perform a method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>communicating to a monitoring station a user preference indicating undesirability, the user preference indicating undesirability corresponding to the undesirable content;</p> <p>receiving a first trigger signal from the monitoring station after the undesirable content corresponding to the user preference indicating undesirability is detected in real-time in the first media stream by the monitoring station and concurrent with an undesirable content attribute being associated with the first media stream and stored in the system database;</p> <p>responsive to receiving the first trigger signal, signaling the output device to switch from the first media stream to a second media stream containing substitute content, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference</p>			

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	<p>indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>receiving a second trigger signal from the monitoring station after an end to the undesirable content in the first media stream is detected by the monitoring station and concurrent with changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>responsive to receiving the second trigger signal, signaling the output device to switch from the second media stream to the first media stream.</p> <p>13. An output device which transmits media to a display viewable by a user, the output device comprising:</p> <p>a network interface in communication with a monitoring station;</p> <p>wherein the network interface receives a first media stream containing primary content having a primary content attribute;</p> <p>wherein the output device transmits the first media stream to the display;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>detecting in real-time undesirable content in the first media stream, a first trigger signal and a second media stream containing substitute content, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database, an undesirable content attribute associated with the first media stream and stored in the system database, and wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>wherein the output device switches the media being transmitted to the display from the first media stream to the second media stream in response to the first trigger signal;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting an end to the undesirable content in the first media stream, a second trigger signal, wherein the undesirable content attribute</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>associated with the first media stream and stored in the system database is changed; and,</p> <p>wherein the output device switches the media being transmitted to the display from the second media stream to the first media stream in response to the second trigger signal.</p>			
<p>“content attribute(s)” (claims 1, 3, 4, 6, 9, 13)</p>	<p>1. A method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>detecting in real-time, by a monitoring station, the undesirable content in the first media stream, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database;</p> <p>selecting substitute content, by the monitoring station, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating</p>	<p>No construction necessary; plain and ordinary meaning.</p>	<p>“attribute descriptive of a characteristic of content”</p>	

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>responsive to detecting in real-time the undesirable content in the first media stream, transmitting, from the monitoring station, a first trigger signal, and directing the output device to a second media stream containing the substitute content;</p> <p>further responsive to detecting in real-time the undesirable content in the first media stream, configuring, in the system database, an undesirable content attribute and associating the undesirable content attribute with the first media stream;</p> <p>wherein the output device switches from the first media stream to the second media stream in response to the first trigger signal;</p> <p>after transmitting the first trigger signal, monitoring, by the monitoring station, the first media stream for an end to the undesirable content;</p> <p>responsive to detecting the end to the undesirable content in the first media stream, transmitting, from the monitoring station, a second trigger signal to the output device;</p>			

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	<p>further responsive to detecting the end to the undesirable content in the first media stream, changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>wherein the output device switches from the second media stream to the first media stream in response to the second trigger signal.</p> <p>3. The method of claim 1, further including: assigning, by the monitoring station, a substitute content attribute to the substitute content and storing the substitute content attribute in the system database.</p> <p>4. The method of claim 1, further including: storing, in the system database, a directory of substitute content attributes and a directory of substitute content, each member of the directory of substitute content associated with at least one member of the directory of substitute content attributes;</p> <p>associating, by the monitoring station, at least one member of the directory of substitute content attributes with the primary content attribute; and,</p> <p>analyzing, by the monitoring station, the at least one member of the directory of substitute content</p>			

Disputed Term and Asserted Claim(s) Containing Term	Claim Language with Disputed Terms in Bold	Plaintiff's Construction	Defendant's Construction	Court's Construction
	<p>attributes associated with the primary content attribute for correspondence to a user preference.</p> <p>6. The method of claim 1 wherein the at least one of the plurality of substitute content attributes associated with the primary content attribute is one of an event attribute, a location attribute, a genre attribute, a temporal attribute, a participant attribute, a keyword attribute, an image attribute, and combinations thereof.</p> <p>9. An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system, instruct the computer system to perform a method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>communicating to a monitoring station a user preference indicating undesirability, the user preference indicating undesirability corresponding to the undesirable content;</p> <p>receiving a first trigger signal from the monitoring station after the undesirable content corresponding to the user preference indicating undesirability is detected in real-time in the first</p>			

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	<p>media stream by the monitoring station and concurrent with an undesirable content attribute being associated with the first media stream and stored in the system database;</p> <p>responsive to receiving the first trigger signal, signaling the output device to switch from the first media stream to a second media stream containing substitute content, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>receiving a second trigger signal from the monitoring station after an end to the undesirable content in the first media stream is detected by the monitoring station and concurrent with changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>responsive to receiving the second trigger signal, signaling the output device to switch from the second media stream to the first media stream.</p>			

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	<p>13. An output device which transmits media to a display viewable by a user, the output device comprising:</p> <p>a network interface in communication with a monitoring station;</p> <p>wherein the network interface receives a first media stream containing primary content having a primary content attribute;</p> <p>wherein the output device transmits the first media stream to the display;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting in real-time undesirable content in the first media stream, a first trigger signal and a second media stream containing substitute content, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database, an undesirable content attribute associated with the first media stream and stored in the system database, and wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one</p>			

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	<p>of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>wherein the output device switches the media being transmitted to the display from the first media stream to the second media stream in response to the first trigger signal;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting an end to the undesirable content in the first media stream, a second trigger signal, wherein the undesirable content attribute associated with the first media stream and stored in the system database is changed; and,</p> <p>wherein the output device switches the media being transmitted to the display from the second media stream to the first media stream in response to the second trigger signal.</p>			
<p>“monitor station” / “monitoring station” (claims 1-4, 8-14)</p>	<p>1. A method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>detecting in real-time, by a monitoring station, the undesirable content in the first media stream,</p>	<p>No construction necessary; plain and ordinary meaning.</p>	<p>“device that monitors the media stream and sends trigger signals to the output device”</p>	

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	<p>wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database;</p> <p>selecting substitute content, by the monitoring station, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>responsive to detecting in real-time the undesirable content in the first media stream, transmitting, from the monitoring station, a first trigger signal, and directing the output device to a second media stream containing the substitute content;</p> <p>further responsive to detecting in real-time the undesirable content in the first media stream, configuring, in the system database, an undesirable content attribute and associating the undesirable content attribute with the first media stream;</p> <p>wherein the output device switches from the first media stream to the second media stream in</p>			

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	<p>response to the first trigger signal;</p> <p>after transmitting the first trigger signal, monitoring, by the monitoring station, the first media stream for an end to the undesirable content;</p> <p>responsive to detecting the end to the undesirable content in the first media stream, transmitting, from the monitoring station, a second trigger signal to the output device;</p> <p>further responsive to detecting the end to the undesirable content in the first media stream, changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>wherein the output device switches from the second media stream to the first media stream in response to the second trigger signal.</p> <p>2. The method of claim 1, further including:</p> <p>prior to transmitting the first trigger signal, monitoring, by the monitoring station, the first media stream for the undesirable content.</p> <p>3. The method of claim 1, further including:</p> <p>assigning, by the monitoring station, a substitute content attribute to the substitute content and storing the substitute content attribute in the system database.</p>			

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	<p>4. The method of claim 1, further including:</p> <p>storing, in the system database, a directory of substitute content attributes and a directory of substitute content, each member of the directory of substitute content associated with at least one member of the directory of substitute content attributes;</p> <p>associating, by the monitoring station, at least one member of the directory of substitute content attributes with the primary content attribute; and,</p> <p>analyzing, by the monitoring station, the at least one member of the directory of substitute content attributes associated with the primary content attribute for correspondence to a user preference.</p> <p>8. The method of claim 1, further including: after transmitting the first trigger signal, monitoring, by the monitoring station, the second media stream for another undesirable content corresponding to a user preference.</p> <p>9. An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system, instruct the computer system to perform a method of replacing undesirable content in a first media stream being received by an output device which transmits media to a display viewable by a user, the first</p>			

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	<p>media stream containing primary content having a primary content attribute, the method comprising the steps of:</p> <p>communicating to a monitoring station a user preference indicating undesirability, the user preference indicating undesirability corresponding to the undesirable content;</p> <p>receiving a first trigger signal from the monitoring station after the undesirable content corresponding to the user preference indicating undesirability is detected in real-time in the first media stream by the monitoring station and concurrent with an undesirable content attribute being associated with the first media stream and stored in the system database;</p> <p>responsive to receiving the first trigger signal, signaling the output device to switch from the first media stream to a second media stream containing substitute content, wherein the substitute content has a plurality of substitute content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p>			

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	<p>receiving a second trigger signal from the monitoring station after an end to the undesirable content in the first media stream is detected by the monitoring station and concurrent with changing, in the system database, the undesirable content attribute associated with the first media stream; and,</p> <p>responsive to receiving the second trigger signal, signaling the output device to switch from the second media stream to the first media stream.</p> <p>10. The article according to claim 9, wherein the method further comprises:</p> <p>communicating to the monitoring station a user preference corresponding to the substitute content.</p> <p>11. The article according to claim 10, wherein the method further comprises:</p> <p>receiving a third trigger signal from the monitoring station after the user preference corresponding to the substitute content is received by the monitoring station; and,</p> <p>responsive to receiving the third trigger signal, signaling the output device to switch from the second media stream to a third media stream.</p> <p>12. The article according to claim 9, wherein the method further comprises:</p>			

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	<p>after transmitting the first trigger signal, monitoring, by the monitoring station, the second media stream for another undesirable content corresponding to a user preference.</p> <p>13. An output device which transmits media to a display viewable by a user, the output device comprising:</p> <p>a network interface in communication with a monitoring station;</p> <p>wherein the network interface receives a first media stream containing primary content having a primary content attribute;</p> <p>wherein the output device transmits the first media stream to the display;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting in real-time undesirable content in the first media stream, a first trigger signal and a second media stream containing substitute content, wherein the undesirable content corresponds to a user preference indicating undesirability, the user preference indicating undesirability associated with the user and stored in a system database, an undesirable content attribute associated with the first media stream and stored in the system database, and wherein the substitute content has a plurality of substitute</p>			

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	<p>content attributes, at least one of the plurality of substitute content attributes associated with the primary content attribute and the primary content attribute associated with a first user preference indicating desirability, and at least one of the plurality of substitute content attributes directly associated with a second user preference indicating desirability;</p> <p>wherein the output device switches the media being transmitted to the display from the first media stream to the second media stream in response to the first trigger signal;</p> <p>wherein the network interface receives, from the monitor station, responsive to the monitor station detecting an end to the undesirable content in the first media stream, a second trigger signal, wherein the undesirable content attribute associated with the first media stream and stored in the system database is changed; and,</p> <p>wherein the output device switches the media being transmitted to the display from the second media stream to the first media stream in response to the second trigger signal.</p> <p>14. The output device according to claim 13, wherein:</p> <p>the network interface receives a third trigger signal from the monitoring station, responsive to</p>			

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	a user input corresponding to the substitute content; and, the output device switches the media being transmitted to the display from the second media stream to a third media stream in response to the third trigger signal.			